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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Hastings et al.

Application Serial No.: 09/037,460

Filed: March 10, 1998

For: Human Vascular IBP-Like Growth Factors

Art Unit: 1646

Examiner: Saoud, C.

Atty Docket No.: PF147D1



**TERMINAL DISCLAIMER**

Assistant Commissioner For Patents  
Washington, D.C. 20231

Sir:

Your Petitioner, Michele M. Wales represents that she holds the position of Patent Attorney of Human Genome Sciences, Inc., the assignee of the entire right, title and interest in and to the above identified application by virtue of an assignment which was recorded in parent application no. 08/464,339 on April 15, 1996 at reel(s) 7920 and frame(s) 0791.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of U.S. Patent No. 5,747,280 which issued on May 5, 1998 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,747,280.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of the patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 5,747,280 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that she has reviewed the assignment and, to the best of her knowledge and belief, title is in the assignee seeking to take action in this matter and that she is empowered to act on behalf of Human Genome Sciences, Inc.

Petitioner hereby declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 14 day of September, 1999.

HUMAN GENOME SCIENCES, INC.

By: Michele M. Wales  
Michele M. Wales  
Attorney for Applicants